

### REMARKS

In response to the Office Action mailed on December 14, 2007, Applicants amended claims 1 and 6, and cancelled claim 8. Claims 1-7 and 9-12 are presented for examination.

The Examiner rejected claims 1-5 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,340,789 B1 ("Petritsch") or under 35 U.S.C. §103(a) as being unpatentable over Petritsch in view of U.S. 5,747,363 ("Wei") or Brabec *et al.*, "The influence of materials work function on the open circuit voltage of plastic solar cells", ("Brabec"). As amended, claims 1-5 cover methods that include after applying a second organic semiconductor layer to a first organic semiconductor layer, applying a second electrode opposite a first electrode. Petritsch does not disclose such methods. Rather, Petritsch discloses applying a first semiconductive layer to a first electrode, applying a second semiconductive layer to a second electrode, and then laminating the first and second semiconductive layers together. (*See, e.g.*, Petritsch, col. 6, lines 39-42, col. 7, lines 21-37 and 63-65, col. 9, lines 1-10, FIGS. 4A-4C, and FIG. 5). Further, after reading Petritsch, it would not have been obvious to one skilled in the art to modify Petritsch to provide the methods covered by claims 1-5. Moreover, without conceding that one skilled in the art would have even considered Wei or Brabec, even if these references had been considered in conjunction with Petritsch, it still would not have been obvious to provide the methods covered by claims 1-5. Applicants therefore request reconsideration and withdrawal of this rejection.

The Examiner rejected claims 6-12 under 35 U.S.C. §102(b) as being anticipated by Petritsch or under 35 U.S.C. §103(a) as being unpatentable over Petritsch in view of Wei or Brabec.<sup>1</sup> As amended, claims 6, 7 and 9-12 cover methods that include evaporating a solvent to form a layer and a bulk heterojunction mixed layer between first and second layers, and disposing an electrode on the second layer after evaporating the solvent. Petritsch does not disclose such methods. Instead, as explained above, Petritsch discloses applying a first semiconductive layer to a first electrode, applying a second semiconductive layer to a second electrode, and then laminating the first and second semiconductive layers together. (*See, e.g., id.*). Further, after reading Petritsch, it would not have been obvious to one skilled in the art to modify Petritsch to provide the methods covered by claims 6, 7 and 9-12. Moreover, without conceding that one skilled in the art would have even considered Wei or Brabec, even if these

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<sup>1</sup> Applicants cancelled claim 8, so the rejection of this claim should be withdrawn.

references had been considered in conjunction with Petritsch, it still would not have been obvious to provide the methods covered by claims 6, 7 and 9-12. Applicants therefore request reconsideration and withdrawal of this rejection.

Applicants believe the application is in condition for allowance, which action is requested.

The Request for Continued Examination fee is being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply any other charges or credits to deposit account 06-1050, referencing Attorney Docket No. 21928-019US1.

Respectfully submitted,

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